

TRANSFER
TAX
PAIDQUITCLAIM DEED WITH COVENANT
004037

LAFAYETTE WATERVILLE, INC., a Maine corporation with a place of business at Bangor, Penobscot County, Maine, for consideration paid, grants to OM CRYSTAL RIVER ASSOCIATES, L.L.C., an Ohio limited liability company, whose mailing address is 1765 Merriman Road, Akron, Ohio 44313, with Quitclaim Covenant, the land in Waterville, Kennebec County, State of Maine, described as follows:

Two certain lots or parcels of land situate in Waterville, Kennebec County, Maine, bounded and described as follows:

FIRST PARCEL: Beginning at the intersection of the southerly right of way line of Interstate Highway #95 and the westerly line of Main Street; thence southerly along the westerly line of Main Street a distance of two hundred thirty-four (234) feet; thence westerly in said westerly line a distance of ten (10) feet; thence southerly in said westerly line a distance of one hundred sixty-six (166) feet; thence westerly parallel to Roland G. Ware's southerly line, now or formerly, a distance of eight hundred and twenty-six (826) feet; thence northerly, at a right angle with said southerly line of Interstate Highway #95, a distance of two hundred fifty-three (253) feet, more or less, to said southerly line of Interstate Highway #95; thence easterly along said southerly line a distance of six hundred thirty-five (635) feet to the point of beginning.

SECOND PARCEL: Beginning at the southeasterly corner of land of Robert Sage on the westerly line of Main Street; thence, southerly along the westerly line of Main Street to an iron pin at the southeasterly corner of land of Roland G. Ware, now or formerly; thence northwesterly along the northerly lines of Richard Hawkes and Lewis J. Rosenthal for a distance of two thousand six hundred eighty-one and twenty-five hundredths (2,681.25) feet to an iron pin on the southerly boundary of the right of way line of Interstate Highway #95; thence southwesterly one hundred fifty-six and eight tenths (156.8) feet; thence northwesterly fifty-three (53) feet, more or less, to the right of way line of Interstate Highway #95; thence northerly along the easterly boundary of the right of way line of Interstate Highway #95; thence northeasterly along the said Interstate Highway line thirty-nine and thirty-one hundredths (39.31) feet; thence southeasterly along said Interstate Highway line one hundred seventy-

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five (175) feet to an iron pin; thence northeasterly along said Interstate Highway line one hundred ninety-five (195) feet, more or less, to a pin; thence easterly along the southerly right of way line of said Interstate Highway #95 to the westerly line of land of Roland G. Ware, now or formerly; thence southerly along the westerly line of said Roland G. Ware a distance of two hundred fifty-three (253) feet, more or less; thence easterly along the southerly line of Roland G. Ware, now or formerly, a distance of eight hundred twenty-six (826) feet to the point of beginning.

EXCEPTING AND RESERVING from the above-described parcels a certain lot or parcel of land described as follows:

Beginning at the southeasterly corner of land now or formerly of College Motor Hotel, Inc., which point is in the westerly line of Maine Street and one hundred sixty-seven and forty-seven hundredths (167.47) feet southerly from a Maine highway bound and running south five degrees forty-five minutes east (S 5° 45' E) bounding easterly on Main Street one hundred ninety-three and sixty-three hundredths (193.63) feet to the northeasterly corner of land now or formerly of Evelyn F. Rosenthal; thence turning an interior angle of fifty-four degrees nineteen minutes thirty seconds (54° 19' 30") and running north sixty degrees four minutes thirty seconds west (N 60° 4' 30" W) bounding southwesterly on said land now or formerly of Evelyn F. Rosenthal and on land now or formerly of Elm Realty Trust two hundred (200) feet to a point; thence turning an interior angle of ninety-one degrees twenty-four minutes (91° 24') and running north twenty-eight degrees thirty-one minutes thirty seconds east (N 28° 31' 30" E) bounding northwesterly on land now or formerly of Robert Sage and on said land now or formerly of College Motor Hotel, Inc. ninety-three and seventeen hundredths (93.17) feet to a point; thence turning an interior angle of one hundred twenty-four degrees sixteen minutes thirty seconds (124° 16' 30") and running north eighty-four degrees fifteen minutes east (N 84° 15' E) bounding northerly of said land now or formerly of College Motor Hotel, Inc., one hundred ten (110) feet to the point of beginning, making an interior angle of ninety degrees zero minutes (90° 00') with the first described course. Contains 19,965 square feet of land, more or less.

The above described excepted and reserved parcel being the same premises conveyed by Robert Sage to Sun Oil Company by deed dated August 6, 1965, and recorded in Kennebec County Registry of Deeds in Book 1383, page 429.

Being the same premises described in the deed from College Motor Hotel, Inc. to Lafayette Waterville, Inc., dated August 19, 1993, recorded in Kennebec County Registry of Deeds in Book 4469, Page 146.

EXCEPTING AND RESERVING to LAFAYETTE WATERVILLE, INC., a certain lot or parcel of land, together with the buildings thereon, bounded and described as follows:

Parcel One

Commencing at a point on the westerly line of Main Street located North 24°56'54" a distance of sixty-six and 00/100 (66.00) feet, measured along the westerly sideline of Main Street from an iron rod at the northeasterly corner of land conveyed to Sun Oil Company by deed recorded in Book 1383, page 429, and now or formerly of Webber Oil Company; thence northerly along the westerly side of Main Street a distance of one hundred one and 55/100 (101.55) feet more or less to a stone Maine Highway bound; then easterly along the line of Main Street a distance of ten and 00/100 (10.00) feet to a rebar; thence northerly along the westerly line of Main Street a distance of two hundred thirty two and 67/100 (232.67) feet more or less to an iron rod at the intersection of the westerly line of Main Street with the southerly right of way line of Interstate Highway #95, and being the northeasterly corner of the First Parcel described in the deed from College Motor Hotel, Inc., to Lafayette Waterville, Inc., recorded in Book 4469, Page 146; thence North 86°23'42" West along the southerly line of Interstate Highway # 95 a distance of seven hundred and 35/100 (700.35) feet to a ¾" iron pipe at the northwesterly corner of the herein described parcel; thence South 03°36'18" West a distance of eighty and 00/100 (80.00) feet to a rebar with cap "1292"; thence continuing South 03°36'18" West a distance of two hundred ninety-one and 20/100 (291.20) feet to a rebar with cap "1292" next to a disturbed ¾" iron pipe at the southwesterly corner of the herein described parcel; thence South 79°49'16" East a distance of five hundred ninety-five and 92/100 (595.92) feet to a point; thence North 65°02'13" East a distance of two hundred ninety-five and 18/00 (295.18) feet to the point of beginning.

Parcel Two (sign parcel)

Commencing at the iron rod on the southerly side of Interstate Highway # 95 at the northwesterly corner of the above described Parcel One; thence North 86° 23' 42" West, along the southerly sideline of Interstate Highway #95, a distance of three

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hundred ninety-four and 75/100 feet (394.75) to a stone highway bound with drill hole; thence North $89^{\circ} 26' 49''$ West, continuing along the southerly sideline of Interstate Highway #95, a distance of ninety-four and 45/100 (94.45) feet to a point westerly of a pylon sign; thence South $00^{\circ} 33' 11''$ West a distance of forty-five and 96/100 (45.96) feet to a point southwesterly of said pylon sign; thence South $89^{\circ} 26' 49''$ East a distance of twenty and 00/100 (20.00) feet to a point southeasterly of said pylon sign; thence North $00^{\circ} 33' 11''$ East a distance of forty-four and 96/100 (44.96) feet to a point one foot southerly of the southerly sideline of Interstate Highway #95; thence South $89^{\circ} 26' 49''$ East, parallel with and one foot southerly of the southerly sideline of Interstate Highway #95, a distance of seventy-four and 43/100 (74.43) feet to a point; thence South $86^{\circ} 23' 42''$ East, and continuing parallel with and one foot southerly of the southerly sideline of Interstate Highway #95, a distance of three hundred ninety-four and 75/100 feet (394.75) feet, to a point on the westerly sideline of the above described Parcel One; thence North $03^{\circ} 36' 18''$ East a distance of one and 00/100 (1.00) foot to the point of beginning. The above-described Parcel Two contains a total area of 0.032 acres, or 1,388 square feet, more or less.

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The metes and bounds used in the description of the foregoing excepted and reserved Parcel One and Parcel Two are based on a standard boundary survey by James W. Sewall Company, prepared for Cedarwood Development, Inc., dated July 21, 1999, and a plan by Survey & Geodetic Consultants Inc., prepared for Cedarwood Development, Inc, dated February 8, 2001.

ALSO EXCEPTING AND RESERVING to LAFAYETTE WATERVILLE, INC., an easement for all purposes of a way, including installation and maintenance of utility services, over an area thirty-three (33) feet wide bounded on the north by the southerly side of Interstate Highway 95, and leading from the westerly line of the above described Parcel One to the easterly line of the above described Parcel Two.

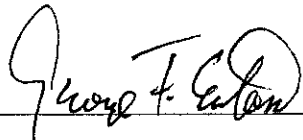
ALSO EXCEPTING AND RESERVING to LAFAYETTE WATERVILLE, INC., an easement for maintenance and replacement of all existing utility services and drainage facilities located on the premises herein conveyed and serving the above excepted and reserved parcels.

This conveyance is made subject to the following:

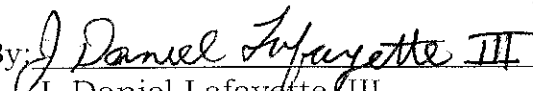
1. Easement from Roland Ware to Kennebec Water District dated March 2, 1956, recorded in Book 1034, Page 236 of the Kennebec County Registry of Deeds.
2. Easement from Roland Ware to Kennebec Water District dated December 14, 1959, recorded in Book 1177, Page 237 of the Kennebec County Registry of Deeds.
3. Easement from College Motor Hotel, Inc. to Central Maine Power Company dated July 29, 1965, recorded in Book 1393, Page 338 of the Kennebec County Registry of Deeds.
4. Slope and drainage rights acquired by the State of Maine, State Highway Commission by Notice of Taking dated September 7, 1960, recorded in Book 1201, Page 7 of the Kennebec County Registry of Deeds.
5. Slope and drainage rights acquired by the State of Maine, State Highway Commission by Notice of Taking dated October 22, 1958, recorded in Book 1133, page 397 of the Kennebec County Registry of Deeds.
6. Restrictive covenant contained in a deed from Robert Sage to sun Oil Co. dated August 6, 1965 and recorded in book 1383, page 429 of the Kennebec County Registry of Deeds.

IN WITNESS WHEREOF, LAFAYETTE WATERVILLE, INC. has caused this instrument to be signed in its corporate name and sealed with its corporate seal by J. Daniel Lafayette, III, its President, hereunto duly authorized, this 15th day of February, 2001.

WITNESS:



LAFAYETTE WATERVILLE, INC.

By: 
J. Daniel Lafayette, III
Its President
Hereunto Duly Authorized

STATE OF MAINE
COUNTY OF PENOBSCOT

February 15, 2001

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Then personally appeared the above-named J. Daniel Lafayette, III, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

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Before me,

Emth A Richardson

Name: *EMTH A RICHARDSON*

Notary Public

Maine Attorney-at-Law

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2001 FEB 16 PM 3:16
ATTEST: *Norman B. [unclear]*
REGISTER OF DEEDS